

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of Oklahoma

United States of America

v.

RANDY PAUL SHELBY

Defendant(s)

Case No.

20-mj-227-JFJ

FILED

AUG 12 2020

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 7, 2020- July 8, 2020 in the county of Tulsa in the
Northern District of Oklahoma, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 1038(a)(1)

False Information About Bombs in Courthouse

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.



Complainant's signature

Special Agent Susan L. Ellis

Printed name and title

Sworn to before me and signed in my presence.

Date:

8-12-2020

City and state:

Tulsa, OK



Judge's signature

Jodi F. Jayne, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**AFFIDAVIT IN SUPPORT OF AN
APPLICATION FOR COMPLAINT**

I, Susan L. Ellis, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

I am a Special Agent with the Federal Bureau of Investigation (FBI). I have been so employed since September 2004. I am currently assigned to the Oklahoma City Division, Tulsa Resident Agency. Prior to joining the FBI, I was a Police Officer/Detective with the Dallas Police Department for 12 years and received law enforcement training in accordance with the Texas Commission on Law Enforcement to become a state certified peace officer. As a Special Agent with the FBI, I am currently assigned to the Oklahoma City Division's Joint Terrorism Task Force (JTTF), where I am charged with investigating violations of Federal law, to include violent crimes, counterterrorism, and computer intrusions. I have gained experience in conducting these investigations through training and day-to-day work related to investigations of this type.

I am familiar with the facts and circumstances of this investigation. The facts set forth in this affidavit are based on events that transpired in the Northern District of Oklahoma, and are based on my personal observations, information obtained from other law enforcement officers, my review of documents related to this investigation, conversations with others who have personal knowledge of the events and circumstances described herein, and a review of open source information including information available on the Internet. Since this affidavit is submitted for the limited purpose of establishing probable cause in support of the application for

a complaint, it does not set forth each and every fact others or I have learned during the course of this investigation.

Based on my training, experience, and the facts as set forth in this affidavit, there is probable cause to believe **RANDY PAUL SHELBY** violated Title 18, United States Code, Section 1038(a)(1) False Information and Hoaxes (relating to bombs); in support thereof, your Affiant states the following:

PROBABLE CAUSE

1. On July 7, 2020 at approximately 11:12 pm, an anonymous male called Tulsa Police Department's (TPD) non-emergency number at (918) 596-9222, in Tulsa, Oklahoma to report a bomb threat. During the call, the male caller provided the below details:
 - Caller needed to speak with someone "really quick" to give information because "it's getting to the point where I think it's getting pretty bad".
 - There is a member of the Bandidos Biker Club in Tulsa named Brian Blake;
 - Caller had been to Blake's residence located at 1104 E 78th St North, Sperry, Oklahoma;
 - Caller knows Blake has been making bombs;
 - Caller overheard Blake say that he was going to do some damage and "it was supposed to happen tomorrow" (07/08/2020); caller named two target addresses of: [#1] the courthouse in Tulsa, Oklahoma at 11 o'clock, and [#2] an address in the vicinity of 8th Street and Lewis Avenue in Tulsa, OK.
 - Caller did not want to give his name and did not want to be involved.
 - Caller just wanted "you" (law enforcement) to "take care of it".
2. On the morning of July 8, 2020, based upon the name of Brian Blake given by the caller to the TPD dispatch, Task Force Officer (TFO) Jonathan Lartigue, Tulsa Police Department, assigned to the FBI JTTF, searched Facebook and found a user profile for a Brian Blake in the Tulsa, OK area. The user profile for Brian Blake indicated he was in a relationship with an individual named Allisa O'Malley. FBI SA Matt McCullough conducted a search via a commercial database utilized by the FBI to locate a person

named Allisa O'Malley who was associated with a residential address of 2248 E. 8th Street, Tulsa, OK.

3. The address associated with O'Malley, 2248 E. 8th Street, Tulsa, OK, is located approximately 80 yards west of the intersection of E. 8th Street and S. Lewis Ave (one of the two target areas named by the caller of the bomb threat).

Interview of Allisa O'Malley and Brian Blake

4. On July 8, 2020, Investigators went to 2248 E. 8th Street, Tulsa, OK, where they made contact with and interviewed Allisa O'Malley. During the interview, O'Malley said she knew Brian Blake well and considered him a "best friend".
5. TPD Sergeant (Sgt.) William Jenkins played a recording of the bomb threat call TPD had received the previous evening on July 7, 2020. Upon hearing the male voice at the beginning of the call, O'Malley identified the male voice as **RANDY PAUL SHELBY**.
6. O'Malley stated her sister, Misty Andrews-SHELBY, is currently married to, and in the process of separating from, **RANDY PAUL SHELBY** (hereafter "**SHELBY**"). A recent incident of domestic violence prompted Andrews-Shelby to obtain a temporary Protection Order (PO) against **SHELBY** through the Tulsa County District Court. O'Malley advised Andrews-Shelby was scheduled to appear at the Tulsa County Courthouse the morning of the bomb call threat (07/08/2020) for a proceeding related to the PO she obtained against **SHELBY**.
7. O'Malley advised **SHELBY**'s cellular telephone number was 918-402-6248 and he lived at 1005 N. Washington Street, Sand Springs, Oklahoma.
8. O'Malley advised Brian Blake was inside her residence and volunteered to tell him investigators wanted to speak to him.
9. Brian Blake came out of the residence to speak to investigators at which time Sgt. Jenkins played the recording of the bomb threat TPD had received the previous evening. Upon hearing the voice of the male caller, Blake said he recognized the caller to be **RANDY PAUL SHELBY**.
10. Blake advised he worked at a bar named The Crystal Skull located at 1005 S. Sheridan Road, Tulsa, OK. Blake said he was working there in the early hours of that same morning (07/08/2020) when TPD Officers arrived and asked who owned the white Dodge pickup parked outside. When Blake told the officers he owned the pickup, the officers advised a person had called TPD and reported someone in possession of a bomb had been

witnessed occupying that vehicle. Blake said he allowed the officers to look in his vehicle and they left after they found the callers information to be untrue.

11. Sgt. Jenkins contacted TPD dispatch and asked if there had been a report of a person with a bomb near the Crystal Skull earlier that morning (07/08/2020). TPD dispatch confirmed there was an anonymous call of that nature that came into TPD's non-emergency phone number (918) 596-9222 at approximately 12:59am. TPD Dispatch then emailed Sgt. Jenkins an audio file of the anonymous call pertaining to Crystal Skull.
12. Affiant reviewed a recording of the call pertaining to Crystal Skull and noted the following information the male caller provided to the TPD dispatcher during this call:
 - Caller had just left the Crystal Skull at 11th and Sheridan, where he saw someone in a white Dodge Ram pickup truck, with the door open;
 - The person sitting in the truck was showing other persons PVC pipe with caps on both ends and what looked like a fuse; caller stated "it looked like a bomb";
 - The pickup had Oklahoma license plate: HRM-590;
 - The male sitting in the truck was described as a white male in his late 40s with long hair and a goatee; the male works at the Crystal Skull;
13. Affiant obtained the registration for Oklahoma License Plate HRM-590, which came back to a 1994 Jeep with Brian Blake of 1104 E 78th St N, Sperry, OK as the registered owner.

Information for Cellular Telephone number (918) 402-6248

14. Pursuant to an emergency disclosure request by FBI SA McCullough on the morning of July 8, 2020, AT&T provided information pertaining to cellular telephone number (918) 402-6248. AT&T confirmed the subscriber name for the cellular telephone number was **RANDY PAUL SHELBY**. AT&T confirmed the phone using the number of (918) 402-6248 was a pre-paid device and **SHELBY** had been an AT&T pre-paid customer since 2017.
15. AT&T provided telephone toll records for (918) 402-6248 for the specified time period of June 27, 2020 through time of request on July 8, 2020.¹

¹ Toll analysis of Randy Paul Shelby's cell phone number (918) 402-6248 detailed in paragraph #25 below.

Interview of Misty Andrews-SHELBY

16. On July 8, 2020, Sgt. Jenkins located and interviewed Misty Andrews-SHELBY at the residence she shares with Allisa O'Malley (at 2248 E. 8th St., Tulsa, Oklahoma.) Sgt. Jenkins advised Andrews-Shelby of the nature of the interview and played the recorded calls referencing the bomb threats made to TPD Dispatch; Sgt Jenkins then asked her if she knew the identity of the caller. Andrews-Shelby identified the voice from the calls as **RANDY PAUL SHELBY**. Andrews-Shelby stated she knew **SHELBY**'s voice because she had been in a relationship with him and ultimately married him. Until recently, Andrews-Shelby lived with **RANDY PAUL SHELBY** at 1005 N. Washington Ave, Sand Springs, OK.

The Location and Arrest of RANDY PAUL SHELBY

17. On July 8, 2020, **SHELBY** was observed in the area of 800 S. Lewis Ave (which is close proximity to Allisa O'Malley's residence). TCSO Deputies arrested **SHELBY** and took him into custody.
18. Once **SHELBY** was arrested and placed in a TCSO Patrol Unit, he conveyed he was having a panic attack. An ambulance responded to the scene and **SHELBY** was transported to the Oklahoma State University (OSU) Medical Hospital.

Interview of RANDY PAUL SHELBY

19. On July 8, 2020, pursuant to OSU medical staff confirming **SHELBY** was medically cleared, TSCO Maj. Kitsch read **SHELBY** his Miranda Rights from a Miranda rights form and asked **SHELBY** to initial each line of the Miranda Rights form to confirm he heard and understood the rights Maj. Kitsch had read to him.
20. **SHELBY** was asked how he knew Brian Blake; **SHELBY** stated Blake was a "trouble maker" who was causing problems for his family through his relationship with his wife (Misty Andrews-Shelby).
21. When Maj Kitsch asked **SHELBY** if he had ever 'lost time' or suffered from blackouts, **SHELBY** stated he contracted Rocky Mountain spotted fever approximately a year ago that made it difficult for him to remember certain times/events.
22. Maj. Kitsch asked **SHELBY** if his wife could recognize his voice in such circumstances as if she heard his voice from another room or from a recording. **SHELBY** stated he and Misty had been married and she could "100% recognize his voice".
23. FD-302 documents further details of interview by FBI SAs after **SHELBY** was escorted out of OSU Medical Center and placed into TCSO vehicle for transport to jailhouse.

SHELBY reinitiated contact and asked to speak with SAs again prior to departing the medical center. **SHELBY** provided the additional details during the curbside interview:

- a. **SHELBY** stated he found a piece of paper when he woke up with notes in his handwriting outlined below:
 - 'his name' at the top with vehicle and tag information [SA Ellis clarified if **SHELBY** was referring to 'Brian' at which time **SHELBY** confirmed he was referring to Brian Blake]
 - 11am and 'CH'
 - When asked by SA Ellis if **SHELBY** believed the notes pertained to the phone call that **SHELBY** made, **SHELBY** responded affirmatively.
 - **SHELBY** denied calling 9-1-1 but stated he believed he had called Tulsa Police Department (TPD)
 - SA Ellis asked **SHELBY** where the referenced piece of paper was now; **SHELBY** stated he had thrown the paper away and taken the trash out.
- b. **SHELBY** stated he was trying to deter his wife from "finishing up the protective order against him."

24. **SHELBY** was transported to Tulsa County Jail and booked into the detention center on July 8, 2020.

Toll Record Analysis for (918) 402-6248

25. A review of cellular telephone records provided by AT&T confirmed telephone number (918) 402-6248 had made the following calls to 911 or TPD's non-emergency number of (918) 596-9222 between the dates of June 27, 2020 and time of request on July 8, 2020:

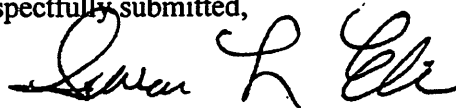
AT&T Telephone Calls from 19184026248				
Toll Item #	Date/Time (UTC)	Date/Time (Converted to Central Daylight Time -5)	To	Duration (min/sec)
145	06/29/2020 - 02:29:41	06/28/2020 - 21:29:41 (9:29pm)	911	3:52
274	06/30/2020 - 23:08:44	06/30/2020 - 18:08:44 (6:08pm)	911	9:36
275	06/30/2020 - 23:18:11	06/30/2020 - 18:18:12 (6:18pm)	911	0:00
276	06/30/2020 - 23:18:12	06/30/2020 - 18:18:12 (6:18pm)	911	0:00
475	07/04/2020 - 00:21:34	07/03/2020 - 19:21:34 (7:21pm)	19185969222	2:22
523	07/04/2020 - 17:57:46	07/04/2020 - 12:57:46 (12:57pm)	19185969222	2:39
716	07/07/2020 - 00:08:41	07/06/2020 - 19:08:41 (7:08pm)	19185969222	4:04
717	07/07/2020 - 00:27:48	07/06/2020 - 19:27:48 (7:27pm)	19185969222	0:00
718	07/07/2020 - 00:27:52	07/06/2020 - 19:27:52 (7:27pm)	679185969222	5:52
788	07/07/2020 - 22:52:58	07/07/2020 - 17:52:58 (5:52pm)	19185969222	2:22
831	07/08/2020 - 05:53:58	07/08/2020 - 00:53:58 (12:53am)	19185969222	0:00
832	07/08/2020 - 05:54:00	07/08/2020 - 00:54:00 (12:54am)	679185969222	8:32

26. Affiant observed that two of the calls made by (918) 402-6248, on 07/07/2020 and 07/08/2020, were preceded with the digits "67", followed by the destination telephone number. Affiant knows that entering these digits before dialing a destination telephone number will block the identification of the calling telephone number.
27. In a review of the call records provided by AT&T detailing **SHELBY's** cellular telephone records, Affiant could not locate a call to either 911 or the TPD non-emergency number that corresponded to the bomb threat call TPD Dispatch received on July 7, 2020 at approximately 11:12 p.m. Affiant believes that, despite there being no identified record of a corresponding call from **SHELBY's** known cellular phone to TPD Dispatch at this reported time, this bomb threat call was made by **RANDY PAUL SHELBY** due to the following:
- Male caller identifies Brian Blake as perpetrator (the close friend of Allisa O'Malley);
 - One of the locations referenced during the bomb threat call mentioned an area very close in proximity to Allisa O'Malley's residence; which is where Misty Andrews-SHELBY is also currently residing;
 - The other location mentioned in the bomb threat call was a "courthouse" on the same date Andrews-Shelby was to appear at the courthouse to obtain a permanent Protection Order against **RANDY PAUL SHELBY**;
 - Three (3) people, to include Andrews-Shelby, O'Malley, and Blake, identified the voice recordings of the calls to be **RANDY PAUL SHELBY**; and
 - On July 17, 2020, a telephone call originating from the Tulsa County Detention Center to Signature Bail Bonds from an individual who identified himself as **RANDY PAUL SHELBY** was captured and recorded pursuant to routine policy. Affiant reviewed a recording of this call and noted the following inculpatory statements made by **SHELBY** during this call:
 - a. Female Bondswomen inquired if **SHELBY** called in a bomb threat to the court house; **SHELBY** replied "Truth be told, I was trying to prevent my wife from filing a protective order against me"
 - b. **SHELBY** stated "I said someone was going to bring a bomb" [to the courthouse]
 - c. **SHELBY** stated "The fact that I've got rocky mountain spotted fever makes it where they will just drop it for mental illness [affiant assesses **SHELBY** was referring to the FBI when he referenced 'they' in this statement].

CONCLUSION

I submit that this affidavit supports probable cause to believe that **RANDY PAUL SHELBY** violated Title 18, United States Code, Section 1038(a)(1) False Information and Hoaxes (relating to bombs.); by providing false or misleading information indicating that an activity will take place that would constitute a violation of Title 18, United States Code, Chapter 40, Specifically Title 18, United States Code, Section 844(i).

Respectfully submitted,



Susan L. Ellis
Special Agent
Federal Bureau of Investigation

me by telephone
off

Subscribed and sworn to before me on August 12, 2020:



UNITED STATES MAGISTRATE JUDGE JODI F. JAYNE